

In re Appln. of JEFFREY et al.  
Application No. 09/459,670

*REMARKS*

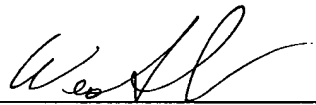
In response to the Official Action mailed May 26, 2004, Applicants propose to amend their application and request reconsideration. In this proposed Amendment, claims 19, 22-27, 31, 32, 35-36, and 39 are canceled and no claims are added so that claims 37, 38, and 40 are now pending. No new matter has been added.

The Official Action indicated that claim 39 would be allowable if rewritten in independent form to include the limitations of its base claim 37. Accordingly, claim 37 is amended to include the limitations of claim 39, and is therefore the independent form of claim 39. Claim 39 is canceled. Thus claim 37 and its remaining dependent claims are presently in a form for allowance.

The Official Action rejected claims 19, 20, 22-28, 31-33, 35-38 and 40 as unpatentable over Burwell et al. (US Patent 5,818,842, hereinafter Burwell) in view of McDysan et al. ("ATM Theory and Applications," hereinafter McDysan) and further in view of Kato (U.S. Pat. Pub. 2003/0043791). That rejection is moot in view of the proposed amendments to the pending claims.

Reconsideration and allowance of the pending claims are earnestly solicited.

Respectfully submitted,



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A. Wesley Ferree, Reg. No. 51,312  
LEYDIG, VOIT & MAYER  
700 Thirteenth Street, N.W., Suite 300  
Washington, DC 20005-3960  
(202) 737-6770 (telephone)  
(202) 737-6776 (facsimile)

Date:

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Amendment or ROA - Regular (Revised 9/03/03)